

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CARL SUNDBERG JR., Personal)
Representative of the Deceased Carl)
Sundberg, III,,)

Plaintiff,)

V.)

STATE OF NEBRASKA, and DOES)
1-5 in their individual and official)
capacities,)

Defendants.)

8:09CV228

JUDGMENT

Pursuant to the court's Memorandum and Order entered on September 11, 2009, (filing no. 11):

- 1) Judgment of dismissal with prejudice is entered in favor of the defendant State of Nebraska, and Does 1-5 in their official capacities, on plaintiff's constitutional claims; and
- 2) Judgment of dismissal without prejudice is entered in favor of the defendant State of Nebraska, and Does 1-5 in their official capacities, on plaintiff's negligence claims.

Pursuant to the court's Memorandum and Order entered this date, (filing no. 13), judgment of dismissal without prejudice is entered in favor of defendant Does 1-5 in their individual capacities.

December 7, 2009.

BY THE COURT:

Richard G. Kopf
United States District Judge